

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SAMMY B. WEAVER,

Plaintiff,

v.

NATHAN SMITH, et al.,

Defendants.

No. 3:21-cv-05203-RAJ-DWC

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

The Court, having reviewed the Report and Recommendation of Magistrate Judge David W. Christel, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) This case is dismissed without prejudice for failure to follow a Court order and failure to state a claim upon which relief can be granted.
- (3) Plaintiff's Motion to Proceed *In Forma Pauperis* (Dkt. 4) is denied as moot.
- (4) This dismissal constitutes a "strike" under 28 U.S.C. § 1915(g).

1 (5) The Clerk is directed to send copies of this Order to Plaintiff, counsel for
2 Defendants, and to the Hon. David W. Christel.

3 **DATED** this 11th day of January, 2022.
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7 The Honorable Richard A. Jones
8 United States District Judge
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